

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
CENTRAL SECTION

7:53 PM 10/24/05

DAVINCI BIOMEDICAL RESEARCH  
PRODUCTS, INC.,

Plaintiff,

v.

TOSHIBA AMERICA MEDICAL  
SYSTEMS, INC.,

Defendant.

Civil Action No. 04-CV-40027 (FDS)

**STIPULATION OF DISMISSAL WITH  
PREJUDICE OF ALL CLAIMS AND  
COUNTERCLAIMS**

It is hereby stipulated and agreed that the above-entitled action, including all claims and counterclaims, be and hereby is dismissed with prejudice and without costs.

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Attorneys for Plaintiff  
DaVinci Biomedical Research Products, Inc.

By: 

Robert S. White

Dated: 8/22/05

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Toshiba America Medical Systems, Inc.

By: 

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Dated: 10-19-05

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By: 

Kenneth C. Pickering

Dated: 10.21.05